

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
RACHEL QUINTANA, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

AGENDA FOR SPECIAL CITY COUNCIL MEETING

July 30, 2007
Council Chambers, City Hall
9:00 a.m.

AGENDA: Question and answer session with staff on the items listed on the Agenda posted for the Regular City Council Meeting of Tuesday, July 31, 2007. No deliberations among the Council members will be held and no action will be taken during this meeting on the items posted on the Agenda.

AGENDA FOR REGULAR CITY COUNCIL MEETING

July 31, 2007
Council Chambers, City Hall
8:30 a.m.

After the meeting is convened, the City Council shall consider the following items in the following order no sooner than the designated times, but may consider them at a later time.

8:30 a.m.: Roll call and Executive Session*
9:00 a.m.: Invocation and Pledge of Allegiance
9:00 a.m.: Ceremonial items followed by all other items posted on the Agenda

*At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

Invocation – Fire Chaplain Ed Sinke
Pledge of Allegiance

RECOGNITIONS

- 1. KEY TO THE CITY TO DONNA BLAIR, UNITED STATES CONSUL GENERAL, CIUDAD JUAREZ, MEXICO.**
- 2. CITY EMPLOYEE RECOGNITIONS**

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

CONSENT AGENDA

1. APPROVAL OF MINUTES:

Approval of Minutes for the Regular City Council Meeting of July 24, 2007, and Special City Council Meeting Minutes of July 19, 2007 (Budget Hearings), July 20, 2007 (Budget Hearings), July 23, 2007 (Agenda Review), July 25, 2007 (Budget Hearings) and July 26, 2007 (Budget Hearings). [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTIONS:

3A. That the City Manager be authorized to sign and accept on behalf of the City a Drainage Right-of-Way Dedication Deed from E.P. Northeast Hills I, LTD, dedicating to the City an 80 foot wide drainage right-of-way. The area is approximately 1.31 acres in size which will be used to correct the encroachment of an existing drainage channel located within a portion of Lot 2, Block 3, West Ten Development, City of El Paso, El Paso County, Texas, and being more fully described by metes and bounds in Exhibit "A" of the Dedication Deed.

(District 8) [Development Services/Planning, Christina Stokes, (915) 541-4627]

3B. That the City Manager is authorized to sign a Lease Agreement between the City of El Paso and the El Paso Center for Mental Health and Mental Retardation Services El Paso, Texas, for a parcel of City land which includes Lots 23-32, Block 135, East El Paso Addition, City of El Paso, El Paso County, Texas, and commonly known as 3410 Morenci St., El Paso, Texas. **(District 8)**

[Financial Services, Gonzalo Cedillos, (915) 541-4074]

3C. That the City reaffirms its commitments set forth in the Interlocal Governmental Agreement between the City and the County dated December 11, 2001, and

expresses its support for those activities of organizations that further the City's commitments under the referenced Interlocal Governmental Agreement and repeals its action on Item 14D from its July 10, 2007, City Council Agenda through which it approved the establishment of the Friends of the River Park Trail. **(All Districts)** [Parks and Recreation, Barry Russell, (915) 541-4292]

3D. Susie Byrd to the Transportation Policy Board for the El Paso Metropolitan Planning Organization by Mayor John F. Cook. [Mayor John F. Cook, (915) 541-4145]

3E. That the City Manager be authorized to execute the Agreement between the City Of El Paso, the El Paso Zoological Society, Inc., and the El Paso Electric Company for the completion of the Windows to the Wild Outpost Project at the El Paso Zoo. **(District 3)** [Zoo, Steve Marshall, (915) 521-1850]

4. BOARD RE-APPOINTMENT:

Robert Tollen to the Police and Fire Pension Board of Trustees.
[Mayor John F. Cook, (915) 541-4145]

5. BOARD APPOINTMENTS:

5A. Susan Ryde Correa to the Art Museum Advisory Board by Representative Rachel Quintana, District 5.
[Representative Rachel Quintana, (915) 541-4701]

5B. Ann Lilly and Presi Ortega Jr. to the City Employees Pension Fund Board of Trustees by Mayor John F. Cook. [Mayor John F. Cook, (915) 541-4145]

5C. Ann Lilly to the Central Appraisal District Board of Directors by Mayor John F. Cook. [Mayor John F. Cook, (915) 541-4145]

5D. Carmen Arrieta-Candelaria and Presi Ortega, Jr. to the Police and Fire Pension Board of Trustees by Mayor John F. Cook.
[Mayor John F. Cook, (915) 541-4145]

6. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.:

Request that the Purchasing Manager for Financial Services Department be authorized to exercise the City's option to extend Contract 2005-221 (Aviation Fuel) which was awarded on August 9, 2005, to Cutter Aviation El Paso, LP, for two additional years from September 18, 2007, through September 17, 2009.

Department:	Police
Award to:	Cutter Aviation El Paso, LP
	El Paso, TX
Option:	One [of one]
Annual Estimated Amount:	\$86,830
Account No.:	21150060 – 16411 - 503009
Funding Source:	Police, States Restricted Confiscated Funds, Aviation Fuels
Total Estimated Award:	\$173,660
Districts:	All

[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS**7. ECONOMIC DEVELOPMENT:**

- 7A.** Discussion and action on a Resolution that the City Manager be authorized to sign a First Amendment to the Retail Market Analysis and Best Retail Matches Services Agreement by and between the City of El Paso and The Buxton Company dated July 5, 2007, to include an additional study site at the intersection of Dyer Street and Diana Drive and increasing the amount of consideration paid by \$17,500. **(All Districts)**
[Economic Development, Kathryn B. Dodson, (915) 541-4760]
- 7B.** Discussion and action on a Resolution that the Mayor be authorized to sign an Interlocal Agreement with the University of Texas at El Paso (“UTEP”) under which the Institute for Policy and Economic Development (“IPED”) of UTEP shall provide economic-impact assessments, briefing and training to City staff, and other technology-based economic development assessments services, all as requested by the Economic Development Department of the City; and that this Agreement shall replace the previous agreement signed by the City Manager, covering the same Scope of Services. This Agreement shall be for a term of one year, subject to renewal on mutual agreement, with a maximum cost to the City of \$30,000. **(All Districts)** [Economic Development, Kathryn B. Dodson, (915) 541-4760]

REGULAR AGENDA - INTRODUCTIONS**8. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

**Public comment typically is not taken during the introduction of ordinances.
Public comments are invited at the date of the scheduled public hearing.**

- 8A.** An Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 1, Civil Service Commission; to add Rule 2, Definitions and Rules of Construction; Rule 3, Department Heads; Rule 4, Classification; Rule 5, Compensation; Rule 15, Suspension, Reductions, Discharge; Rule 17, Employees Seeking Public Office; Rule 18, Unclassified Service; Rule 19, Departmental Rules; Rule 20, Lay-offs, Job Rights, Reinstatement; Rule 23, Residency; Rule 24, Grievance Procedure; Rule 25, Drivers Safety Standards; Rule 27, Non-Discrimination; Rule 28, Safety; Rule 29, Outside Employment; and Rule 30, Working Out of Class. **(All Districts)**
[Human Resources, Linda B. Thomas, (915) 541-4509]

PUBLIC HEARING WILL BE HELD ON AUGUST 7, 2007, FOR ITEM 8A

- 8B.** An Ordinance changing the zoning of the following real property described as: a portion of Tract 1, Block C, Christy Tract, an addition to the City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to R-4 (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 481 Yarbrough Drive. Applicant: Carlos Carrillo. ZON07-00057 **(District 7)** [Development Services/Planning, Arlan Greer, (915) 541-4723]

PUBLIC HEARING WILL BE HELD ON AUGUST 21, 2007, FOR ITEM 8B

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8:00 a.m. to 5:00 p.m.

REGULAR AGENDA – PUBLIC HEARINGS

9. INTRODUCTION AND PUBLIC HEARING – FINANCIAL SERVICES:

An Ordinance authorizing the issuance of “City of El Paso, Texas, Taxable General Obligation Pension Bonds, Series 2007A,” and resolve matters which are necessary to effectuate said issuance. [Bond Counsel, Paul A. Braden, (915) 544-9997]

10. PUBLIC HEARING – CITY ATTORNEY’S OFFICE:

An Ordinance amending Ordinance No. 016624 (an Ordinance relating to licensing requirements and regulations for sexually oriented businesses within El Paso) to amend Section 5.54.230, Effective Date. **(All Districts)**
[City Attorney's Office, Laura P. Gordon, (915) 541-4550]

11. PUBLIC HEARINGS – DEVELOPMENT SERVICES

11A. An Ordinance changing the zoning of Lot 3, and the west 11 ½ feet of Lot 2, and the east 2 feet of Lot 4, Block 89, Bassett Addition, City of El Paso, El Paso County, Texas, from A-2 (Apartment) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 2426 Montana Avenue. Applicants: Miguel Torres and Ysela Duarte-Torres. ZON07-00041 **(District 8)**

[Development Services/Planning, Melissa Granado, (915) 541-4730]

11B. An Ordinance changing the zoning of a portion of Tract 6, Bootheville Subdivision, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm), C-1 (Commercial), and C-1/C (Commercial/Condition) to C-2/C (Commercial/Condition). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 8610 North Loop Drive. Applicants: Juan R. and Rosa I. Garibay. ZON07-00013 **(District 7)**

[Development Services/Planning, Melissa Granado, (915) 541-4730]

11C. An Ordinance changing the zoning of a portion of Lot 9, Block 4, Hueco View Acres, City of El Paso, El Paso County, Texas, from C-1/SC (Commercial/Special Contract) District to C-3/SC/C (Commercial/Special Contract/Conditions) District and imposing conditions. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: east of George Dieter Drive and south of Turner Road. Applicants: John Trien. ZON07-00039 **(District 5)**

[Development Services/Planning, Melissa Granado, (915) 541-4730]

11D. An Ordinance changing the zoning of Tracts 1L1 & 1L2, Block 10, Upper Valley Surveys, City Of El Paso, El Paso County, Texas, from R-F (Ranch-Farm) District to R-2 (Residential/Condition) District and imposing conditions. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject

Property: east of Westside Drive and south of Tyler Seth Drive. Applicants: C & R Properties Inc./Rio Agua Dulce LP. ZON07-00037 **(District 1)**
[Development Services/Planning, Frank Delgado, (915) 541-4238]

- 11E.** An Ordinance changing the zoning of Tract 10C, Block 6, Ysleta Grant, City Of El Paso, El Paso County, Texas, from R-F (Ranch-Farm) District to R-4 (Residential) District. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: North Loop Road. Applicant: George Gomez. ZON07-00043 **(District 7)**
[Development Services/Planning, Frank Delgado, (915) 541-4238]

- 11F.** An Ordinance changing the zoning of portions of Tracts 51 & 52, Cineque Park Subdivision, City Of El Paso, El Paso County, Texas, from R-F (Ranch-Farm) District to R-5 (Residential) District. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 8181 Starr Avenue. Applicant: Alma R. Avalos ZON07-00047 **(District 7)**
[Development Services/Planning, Frank Delgado, (915) 541-4238]

- 11G.** An Ordinance changing the zoning of Tract 1H and 1H1, Block 10, Upper Valley Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) District to P-R I/C (Planned Residential/Condition) District, and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: south of Artcraft Road and east of Westside Drive. Applicants: GE Development. ZON07-00033 **(District 1)**
[Development Services/Planning, Melissa Granado, (915) 541-4730]

- 11H.** An Ordinance changing the zoning of a portion of Section 16, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) District to Q/C (Quarry/Condition) District and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: east of Patriot Freeway, west of Dyer Street. Applicant: City of El Paso/El Paso Water Utilities. ZON07-00049 **(District 4)** [Development Services/Planning, Esther Guerrero, (915) 541-4720]

- 11I.** An Ordinance changing the zoning of a portion of Tract 6A, 6A1, 6B, and 6B2, Section 33, Tracts 2 and 3, and a portion of Tract 1, Section 28, and Tract 11-C, and a portion of Tract 11-C-1, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) District to C-4 (Commercial) District. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: north of Montana Avenue and east of Purple Heart Boulevard. Applicant: Cesar Viramontes. ZON07-00060 **(District 5)**
[Development Services/Planning, Melissa Granado, (915) 541-4730]

12. PUBLIC HEARING – TAX OFFICE:

An Ordinance authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title, and interest in real property located at the Northeast Portion of Shady Lane Road, as more particularly described in the Ordinance to The City of El Paso, in accordance with Section 34.05 (h) of the Tax Code. **(District 8)**
[Tax Office, Carmen I. Perez, (915) 545-5481]

REGULAR AGENDA – OTHER BUSINESS**13. MAYOR AND COUNCIL:**

- 13A.** Approval of El Paso County 911 District FY 2007-2008 budget to be presented by Joseph Lorkowski, Director of El Paso County 911 District.
[Mayor John F. Cook, (915) 541-4145]
- 13B.** Discussion and action on changing 8th Street name to 8th Street/O.V. Aoy.
[Representative Beto O'Rourke, (915) 541-4123]

14. CITY MANAGER:

City Manager's report of current events and issues:

- 14A.** Discussion and action on issues related to Storm 2006.
[Development Services, R. Alan Shubert, (915) 541-4557]
- 14B.** Review and discussion of Economic Development Department's presentation on Economic Development's Business Retention & Expansion Business First Program, including year-to-date data. **(All Districts)**
[Economic Development, Kathryn B. Dodson, (915) 541-4760]

EXECUTIVE SESSION

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- EX1.** Discussion and action on Lots 10 and 11, Block E, Santa Fe Addition.
(551.071 and 551.072) [City Attorney's Office, Theresa Cullen-Garney, (915) 541-4550]
- EX2.** Jesus Hernandez, et al. vs. C. F. Jordan, et al., Cause No. 2005-8685. (551.071)
[City Attorney's Office, Jennifer F. Callan, (915) 541-4550]

NOTICE TO THE PUBLIC:

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:

<http://www.elpasotexas.gov/>